U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number. Substitute for form 1449A/PTO INFORMATION DISCLOSURE Complete if Known STATEMENT BY APPLICANT **Application Number** 10/523,800 **Filing Date** November 3, 2005 **First Named Inventor** GIBSON, Peter **Art Unit** 3766 **Examiner Name** BERTRAM, Eric D. (Use as many sheets as necessary) Attorney Docket No: 62367-393335 (formerly 22409-00316-US) Sheet of 3 1

			U.S. PA	TENT DOCUMENTS	
Examiner Initials *	Cite No ¹	Document Number Number-Kind Code ²	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1.	2487038	Mar 1, 1949	Baum	
	2.	2641328	Jul 1, 1963	Beaudry	
	3.	4055233	Oct 1, 1977	Huntress	
	4.	4488561	Dec 18, 1984	Doring, John D.	
	5.	4532930	Aug 6, 1985	Crosby et al.	
	6.	4744792	May 1, 1988	Sander et al.	
	7.	5277694	Jan 11, 1994	Leysieffer et al.	
	8.	5282253	Jan 1, 1994	Konomi	
	9.	5443493	Aug 22, 1995	Byers et al.	
	10.	5558618	Sep 24, 1996	Maniglia, Anthony J.	
	11.	5572594	Nov 1, 1996	Devoe et al.	
	12.	5881158	Mar 1, 1999	Lesinski et al.	
	13.	5999632	Dec 7, 1999	Leysieffer et al.	
	14.	6070105	May 30, 2000	Kuzma, Janusz A.	
	15.	6125302	Sep 26, 2002	Kuzma, Janusz A.	
	16.	6537200	Mar 25, 2003	Leysieffer et al.	

EXAMINER DATE CONSIDERED

[•] EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant: Applicant's unique citation designation number (optional) 2See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3), 4 For Japanese patent documents, the indication of the year of the reign of the reign of the Early of the Early

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

	e for form 1449A		o, no porcono	and required to reopend to a consolion	of information unless it contains a valid Ovid Control number.	
INFO	RMATION	DISCLOSU	JRE		Complete if Known	
STAT	EMENT B	Y APPLICA	ANT	Application Number	10/523,800	
				Filing Date	November 3, 2005	
				First Named Inventor	GIBSON, Peter	
				Art Unit	3766	
				Examiner Name	BERTRAM, Eric D.	
(U	(Use as many sheets as necessary)					
Sheet	2	of	3	Attorney Docket No: 62367-393335 (formerly 22409-00316-US)		

	U.S. PATENT DOCUMENTS						
Examiner Initials *	Cite No ¹	Document Number Number-Kind Code ²	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear		
	17.	6565503	May 20, 2003	Leysieffer et al.			
	18.	6575894	Jun 10, 2003	Leysieffer et al.			
	19.	6697674	Feb 24, 2004	Leysieffer			

	FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No	Foreign Patent Document Country Code ³ Number ⁴ Kind Code ⁵	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶	
	20.	WO0071063	Nov 30, 2000	Cochlear Limited			
	21.	WO03070133	Aug 28, 2003	Cochlear Limited			
	22.	WO07053882	May 18, 2007	Cochlear Limited et al.			
	23.	WO8300999	March 31, 1983	Hochmair Ingeborg et al.			
	24.	WO9429932	Dec 22, 1994	Cochlear Pty Ltd. et al.			
	25.	WO9705673	Feb 13, 1997	Cochlear Pty Ltd.			
	26.	WO9906108	Feb 11, 1999	Mann Alfred E Foundation et al.			
	27.	WO97036457	October 2, 1997	Lesinski, et al			

EXAMINER DATE CONSIDERED

[•] EXAMINER; Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant: Applicant's unique citation designation number (optional) See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901 04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must preced the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 ii possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality governed by 35 U.S.C. 122 and 37 CFR.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O., Box 1450, Alexandria, VA 22313-1450.

	•		5, no persons	are required to respond to a collection	of information unless it contains a valid OMB control number	
Substitut	te for form 1449A	/PTO				
INFO	RMATION	DISCLOSU	JRE		Complete if Known	
STAT	EMENT B	Y APPLICA	ANT	Application Number	10/523,800	
				Filing Date	November 3, 2005	
				First Named Inventor	GIBSON, Peter	
				Art Unit	3766	
				Examiner Name	BERTRAM, Eric D.	
(Use as many she	ets as necessary)				
Sheet	3	of	3	Attorney Docket No: 62367-393335 (formerly 22409-00316-US)		

		NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.				
	28.	"International Preliminary Examination Report issued by the International Preliminary Examining Authority in connection with PCT Application No. PCT/AU2003/000229, dated May 2, 2004 (6 Pages).", 05/24/2004				
	29.	"International Preliminary Examination Report issued by the Preliminary Examining Authority in connection with PCT Application No. PCT/AU2000/000936, dated June 8, 2001 (3 pages)", 06/08/2001				
	30.	"International Search Report issued by the International Searching Authority in connection with PCT Application No. PCT/AU2000/000936, dated October 10, 2000 (3pages)", 10/10/2000				
	31.	"International Search Report issued by the International Searching Authority in connection with PCT Application No. PCT/AU2003/000229, dated May 5, 2003 (5 pages)", 5/05/2003				
	32.	"Written Opinion issued by the International Preliminary Examining Authority in connection with PCT Application No. PCT/AU2003/00229, dated June 30, 2003", 06/30/2003 (6 Pages).				

EXAMINER DATE CONSIDERED

[•] EXAMINER; Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant: Applicant's unique citation designation number (optional) See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901 04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must preced the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 ii possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality governed by 35 U.S.C. 122 and 37 CFR.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O., Box 1450, Alexandria, VA 22313-1450.